

S/N 09/744,129

  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SMITH, et al. Examiner: Unknown  
Serial No.: 09/744,129 Group Art Unit: Unknown  
Filed: January 19, 2001 Docket No.: 9555.109USWO  
Title: COMPOSITION FOR ACCELERATING SEED GERMINATION AND  
PLANT GROWTH

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on July 13, 2001

By:   
Sara Fowler

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §1.98(a)(3)):

Applicant hereby brings attention to the Examiner that the references listed were cited in an International Search Report dated October 20, 1999. A copy of the International Search Report is enclosed. Since the International Search Report is in English, no English translation of the listed foreign references are required, pursuant to MPEP §609(A)3.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

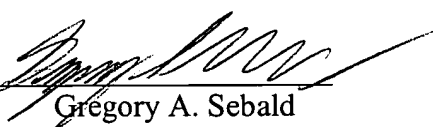
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD, P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Dated: July 13, 2001

By   
Gregory A. Sebald  
Reg. No. 33,280

GAS/sef

FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

## IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

9555.109USWO

Application Number:

09/744,129

Applicant: SMITH, et al.

Filing Date: January 19, 2001

Group Art Unit: Unknown

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,175,149	Dec. 29, 1992	Stacey et al.			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 91/15496	Oct. 17, 1991	PCT			Abstract	
	WO 94/00466	Jan. 6, 1994	PCT			Abstract	
	WO 97/26363	Jul. 24, 1997	PCT				
	2 080 669	Feb. 10, 1982	United Kingdom				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

1995	Horst Rohrig, et al.; "Growth of Tobacco Protoplasts Stimulated by Synthetic Lipo-Chitooligosaccharides"; <i>Science</i> ; August 11, 1995; Vol. 269, pp. 841-843.
1996	Chemical Abstracts, vol. 125, no. 23, December 2, 1996; abstract no. 297004, Spaink, Herman P.; "Regulation of Plant morphogenesis by lip-chitin oligosaccharides"; <i>Crit. Rev. Plant Sci.</i>
1995	Database Caba 'Online!'; Stokkermans et al.; "Structure requirement of synthetic and natural product lipo-chitin oligosaccharides for induction of nodule primordia on Glycine soja"; <i>Plant Physiology</i> ; vol. 108, no.4, 1995.
1998	Database Caba 'Online!'; Autun; "Potential of Rhizobium and Bradyrhizobium species as plant growth promoting rhizobacteria on non-legumes: effect on radishes"; <i>Plant and soil</i> ; vol. 204, no.1, 1998.
	E.C. Cocking et al.; "Interaction of Rhizobia with non-legume crops for symbiotic nitrogen fixation nodulation"; <i>Nato Asi Series. Series G:Ecological Sciences</i> ; Vol. G37, pp. 197-205.
1998	Database Caba 'Online!'; Zaidi et al.; "Growth regulators-mediated biological nitrogen fixation in soybean under salt stress conditions"; <i>Indian Journal of Plant Physiology</i> ; vol. 3, no. 3, 1998.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation and not considered. Include copy of this form for next communication to the Applicant.



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PATENT TRADEMARK OFFICE